

SENATE BILL 1528

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1 and Title 49, Chapter 6, relative to prohibit the attendance of certain juveniles in public schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-131, is amended by adding the following new language to the end of subsection (a)(2):

Notwithstanding the provisions of this section, if the child is adjudicated delinquent for a sexual offense, as defined in § 40-39-202(17), or a violent sexual offense, as defined in § 40-39-202(25), and the sexual offense or violent sexual offense is classified as a Class A, B or C felony, the judge shall enter an order prohibiting the child from attending an elementary or secondary public school with other children who have not been adjudicated delinquent. The judge shall send such order to the school superintendent of the school district where the child was enrolled at the time of the adjudication of delinquency or, if the child has been committed to the custody of a state agency, to the director of such agency.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 30, is amended by adding the following new section:

Section 49-6-3052.

(a) Notwithstanding any other provision of law, if a child is adjudicated delinquent for a sexual offense, as defined in § 40-39-202(17), or a violent sexual offense, as defined in § 40-39-202(25), and the sexual offense or violent sexual offense is classified as a Class A, B or C felony, the child shall be prohibited from attending an elementary or secondary public school with other children who have not been adjudicated delinquent.

(b) It shall be the duty of the LEA where the child was enrolled at the time of the adjudication of delinquency to determine where the child may attend school, or, if the child has been committed to the custody of a state agency, the director of the appropriate agency shall make such determination.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.